

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ANDRE R. SOMERSET,

Civil No. 09-788 (MJD/SRN)

Petitioner,

v.

ORDER

DWIGHT L. FONDREN, Warden,
FCI Sandstone

Respondent.

Andre R. Somerset, *pro se*, Federal Correctional Institution - Sandstone, P.O. Box 1000, Sandstone, Minnesota, 55072.

Frank J. Magill, Jr. and Ana H. Voss, United States Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for Respondents.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that the Petition for Habeas Corpus Relief [Doc. No. 1] is **DENIED**. Petitioner's Motion for Immediate Release or Evidentiary Hearing [Doc. No. 12] is argument reiterated from Petitioner's original Section 2241 Habeas Corpus Petition. This motion is **DENIED**. **THIS ACTION IS DISMISSED WITH PREJUDICE.**

Dated: October 19, 2009

s/Michael J. Davis
MICHAEL J. DAVIS
UNITED STATES DISTRICT CHIEF JUDGE